

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ISRAEL BACA,

Petitioner,

v.

Civ. No. 20-cv-886 KG-JHR
CR. No. 18-cr-3067 KG-JHR

UNITED STATES OF AMERICA,

Respondent.

ORDER DENYING MOTION TO STAY

THIS MATTER is before the Court on Petitioner Israel Baca's Motion to Stay § 2255 Proceedings due to Covid-19, [Doc. 9], filed February 22, 2021. Having thoroughly reviewed the parties' submission and the relevant law, the Court denies the Motion.

In the current Motion, Baca asks for an additional 30 days "to type and resubmit his supplemental filing." [Doc. 9, p. 1]. Baca does not argue that he needs more time to do research or prepare any additional arguments on the merits. The Court reviewed Baca's supplemental motion and finds it reasonably legible. [See Doc. 8]. Courts have inherent authority to, among other things, regulate their docket and promote judicial efficiency. *Martinez v. IRS*, 744 F.2d 71, 73 (10th Cir. 1984). The rules of civil procedure "should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding." Fed. R. Civ. P. 1. Because the Court finds Baca's supplemental motion reasonably legible, the Court sees no benefit from further delay and therefore denies Baca's motion.

Furthermore, in consideration of 1) the fact that Baca filed his supplemental motion on February 22, 2021, whereas Baca was ordered to file his supplemental motion on or before February 8, 2021, [see Docs. 5, 8], and 2) the interest of justice, the Court in its discretion will extend the United States' answer deadline to March 24, 2021.

IT IS THEREFORE ORDERED that Baca's Motion to Stay § 2255 Proceedings due to Covid-19 [Doc. 9] is DENIED and the United States shall file an answer on or before March 24, 2021.



JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE